

OFFICE OF THE GOVERNOR
STATE OF HAWAII

SUPPLEMENTARY PROCLAMATION

By the authority vested in me as Governor by the Constitution and laws of the State of Hawaii, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, LINDA LINGLE, Governor of the State of Hawaii, hereby determine, designate and proclaim as follows:

WHEREAS, pursuant to section 127-10 and chapters 128 and 209, Hawaii Revised Statutes, emergency powers are conferred on the Governor of the State of Hawaii to deal with disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

WHEREAS, in the exercise of those emergency powers, the Lieutenant Governor of the State of Hawaii issued my disaster Proclamation of October 15, 2006 on my behalf pursuant to his authority provided in Article V, section 4 of the Hawaii Constitution relating to the October 15, 2006 Kiholo Earthquake; and

WHEREAS, it has become necessary to supplement my Proclamation of October 15, 2006, relating to the Kiholo Earthquake, and continuing aftershocks, in order to provide additional assistance and maintain the strength, resources, and economic life of the community and to protect the public health, safety, and welfare; and

WHEREAS, pursuant to section 128-8(4), Hawaii Revised Statutes, the Governor is authorized to suspend any law which impedes or tends to impede or is detrimental to the expeditious and efficient execution of, or conflict with, disaster relief or other emergency functions; and

WHEREAS, pursuant to section 128-9(8), Hawaii Revised Statutes, the Governor is further authorized to relieve hardship and inequities or obstructions to the public health, safety, and welfare found by the Governor to exist in the laws by suspending laws in whole or in part, or by alleviating the provisions of laws on such terms and conditions as the Governor may impose; and

WHEREAS, I find that the prohibition of transferring or changing appropriations between programs or agencies found in section 37-74(d), Hawaii Revised Statutes, is impeding, tends to impede, or is detrimental to the expeditious and efficient execution of recovery efforts; and

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, hereby supplement my Proclamation of October 15, 2006, by suspending, pursuant to sections 128-8(4) and 128-9(8), Hawaii Revised Statutes and to the extent necessary to repair, restore, rebuild, with any necessary improvements, any public structures, roadways, or bridges damaged by the October 15, 2006 Kiholo Earthquake, and continuing aftershocks, section 37-74(d), Hawaii Revised Statutes, except for sub-sections 37-74(d)(2) and 37-74(d)(3), Hawaii Revised Statutes, and any such transfers or changes shall be considered authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.

FURTHER, all provisions and requirements of my Proclamation of October 15, 2006, remain in full force and effect and are made applicable for this Supplementary Proclamation.

Done at the State Capitol, State of Hawaii, this 28th day of December, 2006.


LINDA LINGLE
Governor of Hawaii

APPROVED:


MARK J. BENNETT
Attorney General
State of Hawaii